

**SPS/TBT Notifications Affecting Agricultural Trade**

Listed below are proposed changes in international agricultural, food and related standards as notified via the World Trade Organization; The first table provides a summary of all notifications; Individual details follow separately. Interested parties may obtain a full text of any notification for review and COMMENT; simply check the "Request a Copy" check box next to the Notification and return by fax (202) 690-0677 to the attention of Deborah A. Thompson, Food Safety Technical Services Division in USDA/FAS.

Please provide us with your E-mail address {on the request form}. For questions regarding policy matters, call Carolyn Fillmore Wilson (202) 720-2239, otherwise Ms. Thompson at (202) 720-9124 for address/telephone changes.

NOTE - Please include your name/fax number on all request forms.

Type	WTO Number	Product	Country	FSTSD #	Request a Copy
SPS	BRA/57/C1	Potato Seeds	Brazil	01.0561.C1	<input type="checkbox"/>
SPS	EEC/141	Bivalve Molluscs	European Union	01.0579	<input type="checkbox"/>
SPS	EEC/142	Bivalve Molluscs, Echinoderms, Tunicates and Marine Gastropods	European Union	01.0580	<input type="checkbox"/>
SPS	THA/75	Garlic Products-Labeling	Thailand	01.0581	<input type="checkbox"/>
SPS	PHL/35	Codling Moth Hosts from China	Philippines	01.0582	<input type="checkbox"/>
SPS	THA/79	Chewing Gum and Candy Labeling	Thailand	01.0583	<input type="checkbox"/>
SPS	THA/81	Labelling for Ready-to-Cook Food & Ready-to-Eat Food	Thailand	01.0584	<input type="checkbox"/>
SPS	THA/78	Foods to be Labeled with Serial Number	Thailand	01.0585	<input type="checkbox"/>
SPS	THA/80	Peanut Oil-Label-Standards, etc.	Thailand	01.0586	<input type="checkbox"/>
SPS	EEC/143	Seafood-MRL for Heavy Metals	European Union	01.0587	<input type="checkbox"/>
SPS	EEC/144	Poultry and Eggs-Pathogen Reduction	European Union	01.0588	<input type="checkbox"/>
SPS	USA/521	Pesticides-Cryolite	United States of America	01.0589	<input type="checkbox"/>
SPS	USA/522	Pesticides-Fosthiazate	United States of America	01.0590	<input type="checkbox"/>
SPS	USA/523	Bio-Pesticides	United States of America	01.0591	<input type="checkbox"/>
TBT	DNK/4	Ice Cream, Cheese (cream cheese)	Denmark	01.0108	<input type="checkbox"/>

**FSTSD # - 01.0561.C1 Country - Brazil**

**Product - Potato Seeds**

**Comment Deadline Date - 11/10/01 Enforcement Date - 11/11/01 WTO Type/Number - SPS BRA/57/C1**

**Objective - Plant Protection**

**Description - CORRECTION reads: On the notification for N/BRA/57, the e-mail address in Items 2, 11 and 12 should read:**

domc.sda@agricultura.gov.br

**FSTSD # - 01.0579 Country - European Union Product - Bivalve Molluscs**

**Comment Deadline Date - 12/30/01 Enforcement Date - WTO Type/Number - SPS EEC/141**

**Objective - Food Safety**

**Description - Council Directive 91/492/EEC lays down the health conditions for the production and the placing on the market of live bivalve molluscs. Chapter V point 7 of the Annex to the Directive establishes that the level of amnesic shellfish poison (ASP) of 20 micrograms per gram must not be exceeded in the edible parts of bivalve molluscs intended for human consumption. For bivalve molluscs belonging to the species Pecten maximus and Pecten jacobaeus, scientific studies showed that with a Domoic Acid (DA)**

**FSTSD # -01.0579**      **Country - European Union**      **Product - Bivalve Molluscs**

concentration in the whole body between 20 and 250 micrograms per gram, with a harvesting regime under certain restrictive conditions and after a total removal of hepatopancreas, soft tissues and any other contaminated part, the concentration of DA in the edible parts intended for human consumption is normally below the legal limit of 20 micrograms per gram. In the light of recent scientific studies, it is important to allow, at the present time, higher ASP level for the harvesting of bivalve molluscs belonging to the species referred to above, under a specific decision limited to this objective. The purpose of the present proposal is to allow the harvesting of bivalve molluscs belonging to the species *Pecten maximus* and *Pecten jacobaeus* with a higher level of ASP in the whole body, maintaining the legal limit of amnesic shellfish poison (ASP) in the edible parts. Only after total removal of contaminated parts and under certain conditions, can these molluscs be placed on the market for human consumption.

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**FSTSD # -01.0580**      **Country - European Union**      **Product - Bivalve Molluscs, Echinoderms, Tunicates**

**Comment Deadline Date - 12/30/01**      **Enforcement Date -**      **WTO Type/Number - SPS EEC/142**

**Objective - Food Safety**

**Description -** Council Directive 91/492/EEC lays down the health conditions for the production and the placing on the market of live bivalve molluscs. Chapter V point 7 of the Annex to this Directive establishes that the customary biological testing methods must not give a positive result for the presence of Diarrhetic Shellfish Poisoning (DSP) in the edible parts of molluscs (the whole body or any part edible separately). It is scientifically demonstrated that certain marine biotoxins such as those of the Diarrhetic Shellfish Poisoning (DSP) complex, Yessotoxins, Pectenotoxins and Azaspiracids, pose a serious hazard to human health when present above certain limits in bivalve molluscs, echinoderms, tunicates or marine gastropods. The purpose of the present proposal is, in the light of recent scientific research, and in order to protect human health, to establish provisional maximum limits and methods of analysis for the above mentioned biotoxins. Methods of analysis and provisional maximum limits must be harmonized and applied within Member States the proposed limits are based on provisional data and should be re-evaluated where new scientific evidence becomes available.

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**FSTSD # -01.0581**      **Country - Thailand**      **Product - Garlic Products-Labeling**

**Comment Deadline Date -**      **Enforcement Date - 10/10/01**      **WTO Type/Number - SPS THA/75**

**Objective - Food Safety**

**Description -** The Notification of the Ministry of Public Health (No.105) B.E.2530(1987) Labelling for Garlic Products dated 4 June B.E.2530(1987) is withdrawn. Good Manufacturing Practice shall be applied for production. In addition, this notification prescribes as follows:

(1)Classification

Garlic products mean products made from processed garlic or garlic in liquid or dry form, whether or not mixed with other materials and packed in capsules or compressed as tablets.

(2)Garlic products are food subject to labelling. The label shall be approved before use and shall also be in accordance with the ministerial notification regarding labelling.

(3)The label of garlic products shall contain information on the name of food; food serial number; name and address of manufacturer, repacker or importer, as the case may be; net content in metric system; number of capsules or tablets per packaging unit; active ingredients per unit; the statements "preservative used" (if any), "natural colour added" or "synthetic colour added" (if any, as the case may be), "natural flavouring agent added" or "nature identical flavouring agent added" or "artificial flavouring agent added" (if any, as the case may be); month and year of manufacture, expiry date or month and year within which the food remains in good quality; instructions for use; instructions for maintenance (if any); and any other statements required by the FDA.

**FSTSD # -01.0581**      **Country - Thailand**      **Product - Garlic Products-Labeling**  
Licences for food labelling issued prior to the enforcement of this ministerial notification will still be valid for not more than two years.

Producers or importers who received licences prior to the enforcement of this ministerial notification must apply for food serial number within one year after this ministerial notification comes into force. Upon submitting the application, the former labels can still be valid for not more than two years.

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**FSTSD # -01.0582**      **Country - Philippines**      **Product - Codling Moth Hosts from China**  
**Comment Deadline Date -**      **Enforcement Date - 10/17/01**      **WTO Type/Number - SPS PHL/35**  
**Objective -** Plant Protection, Protect Territory from Other Damage from Pests  
**Description -** Import restrictions imposed due to the need of preventing the entry, establishment, and spread of Codling Moth in the country.

DA Administrative Order (AO) No. 22, Series of 2001, Temporary Ban on the Importation of Apple and Other Hosts of Codling Moth Pest such as Pear, Apricot, Peach, Plum, Quince, Cherry, Almond, Walnut, Ornamental Apple and Corn from Identified Places in China.

EMERGENCY MEASURE: Nature of the urgent problem(s): Risk of entry, establishment and spread of Codling Moth from China.

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**FSTSD # -01.0583**      **Country - Thailand**      **Product - Chewing Gum and Candy Labeling**  
**Comment Deadline Date -**      **Enforcement Date - 07/24/01**      **WTO Type/Number - SPS THA/79**  
**Objective -** Food Safety

**Description -** The Notification of Ministry of Public Health No.96 B.E.2528(1985) Labelling for Sugar and Candy dated 30 September B.E.2528(1985) and No.131 B.E.2533(1990) Labelling for Sugar and Candy (No.2) dated 10 October B.E.2533(1990) are withdrawn. Good Manufacturing Practice shall be applied for production of chewing gum and candy. In addition, this ministerial notification prescribes labelling requirements to be in accordance with the ministerial notification regarding labelling. The label shall contain information, in Thai language but may also be accompanied by foreign languages, on the name of food; food serial number; name and address of manufacturer, repacker or importer, as the case may be; net weight in metric system; sugar or sweeteners in percentage of weight; the statements "preservative used" (if any), "natural colour added" or "synthetic colour added" (if any, as the case may be), "Use (name of sweetener used) as sweetener", "natural flavouring agent added", "nature-identical flavouring agent added" or "artificial flavouring agent added" (if any, as the case may be); month and year of manufacture and expiry date or date, month and year within which food remains in good quality.

Licences for food labelling issued prior to the enforcement of this ministerial notification will be valid for two years.

Producers or importers who received licences prior to the enforcement of this ministerial notification must apply for food serial number within one year after this ministerial notification comes into force. Upon submitting the application, the former labels can still be valid for not more than two years.

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**FSTSD # -01.0584**      **Country - Thailand**      **Product - Labelling for Ready-to-Cook Food & Ready**  
**Comment Deadline Date -**      **Enforcement Date - 08/23/01**      **WTO Type/Number - SPS THA/81**  
**Objective -** Food Safety  
**Description -** The Notification of Ministry of Public Health (No.175) B.E.2539(1996) Re: Labelling of Ready-to-Cook Food and Ready-to-Eat Food dated 6 November B.E.2539(1996) is withdrawn. This ministerial notification prescribes the following items:  
(1)Definition:

**FSTSD # - 01.0584      Country - Thailand      Product - Labelling for Ready-to-Cook Food & Ready**

(a) Ready-to-cook food means food of which compositions of food are packed for sale directly for the purpose of cooking;

(b) Ready-to-eat food means processed food packed in container ready for sale.

(2) The label of ready-to-cook food and ready-to-eat food shall be in accordance with the Notification of Ministry of Public Health regarding labelling and shall contain information in Thai language but may also be accompanied by foreign language, on name of food; food serial number; name and address of place of manufacture or repacking or distributing, as the case may be; net weight in metric system; main ingredients in percentage of approximate weight for ready-to-eat food; the statements "preservative used", "natural colour added" or "synthetic colour added" (if used, as the case may be), etc.; month and year of manufacture and expiry date or date, month and year within which food remains in good quality; recommendation for storage (if any).

Producers who received licences prior to the enforcement of this ministerial notification must apply for food serial number within one year after this ministerial notification comes into force. Upon submitting the application, the form labels can still be valid for not more than two years.

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**FSTSD # - 01.0585      Country - Thailand      Product - Foods to be Labeled with Serial Number**

**Comment Deadline Date -      Enforcement Date - 07/24/01      WTO Type/Number - SPS    THA/78**

**Objective -    Food Safety**

**Description -** Certain types of foods for which food serial number is required on the label are as follows:

- |   |                                 |
|---|---------------------------------|
| (1) Food colour   | (18) Peanut oil                 |
| (2) Cow's milk  | (19) Chocolate                  |
| (3) Flavoured milk                                      | (20) Fortified rice             |
| (4) Milk products                                       | (21) Butter                     |
| (5) Food enhancers                                      | (22) Fermented egg              |
| (6) Sour milk   | (23) Ghee                       |
| (7) Ice   | (24) Husked rice flour          |
| (8) Food additives                                      | (25) Food for special purpose   |
| (9) Food for weight control                             | (26) Processed agar and jelly   |
| (10) Food in sealed container                           | (27) Garlic products            |
| (11) Modified milk for infant and used                  | (28) Food containing substances |
| young children to preserve quality or standard          |                                 |
| (12) Modified food for infant and in containers thereof |                                 |
| young children  | (29) Food containing Aloe Vera  |
| (13) Supplementary food for infant and young children   | (30) Chewing gum and candy      |
| (14) Drinking water in sealed container                 | (31) Bread                      |
| (15) Ice-cream  | (32) Flavouring agent           |
| (16) Palm oil   | (33) Cooking brine              |
| (17) Coconut oil  | (34) Irradiated food            |

Licences for food registration or food labelling issued prior to the enforcement of this ministerial notification will be valid for not more than two years.

Producers or importers who received licences prior to the enforcement of this ministerial notification must apply for food serial number within one year after this ministerial notification comes into force. Upon submitting the application, the former labels can still be valid for not more than two years.

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**FSTSD # - 01.0586      Country - Thailand      Product - Peanut Oil-Label-Standards, etc.**

**Comment Deadline Date -      Enforcement Date - 08/23/01      WTO Type/Number - SPS    THA/80**

**Objective -    Food Safety**

**FSTSD #** - 01.0586      **Country** - Thailand      **Product** - Peanut Oil-Label-Standards, etc.  
**Description** - A modification of the Notification of Ministry of Public Health (No.23) B.E.2522(1979) Re: Prescribing Peanut Oil as specifically Controlled Food and Prescribing Quality or Standard, Production Method and Label for Peanut Oil. The main amendments are as follows:  
-Good Manufacturing Practice shall be applied for production of peanut oil;  
-The label of peanut oil shall be in accordance with the ministerial notification regarding labelling and shall contain the statements "natural peanut oil" or "processed peanut oil" or "natural peanut oil mixed with ... oil" or "processed peanut oil mixed with ... oil", as the case may be, with letters not smaller than 5 mm, under trade name, etc.

Licences for food registration or food labelling issued prior to the enforcement of this ministerial notification will be valid for two years.

Producers or importers who received licences prior to the enforcement of this ministerial notification must apply for food serial number within one year after this ministerial notification comes into force. Upon submitting the application, the former labels can still be valid for not more than two years.

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**FSTSD #** - 01.0587      **Country** - European Union      **Product** - Seafood-MRL for Heavy Metals  
**Comment Deadline Date** - 12/4/01      **Enforcement Date** - 04/05/02      **WTO Type/Number** - SPS EEC/143  
**Objective** - Food Safety  
**Description** - The draft Commission Regulation notified hereby establishes revised maximum limits for lead, cadmium and mercury in certain fishery products. It incorporates comments received to Regulation (EC) No 466/2001, notified as G/SPS/N/EEC/100 and due to come in force on 5 April 2002. These new standards respond to an evaluation of new scientific data made available which indicated that some of the provisions in Regulation (EC) No 466/2001 would not be reasonably achievable. The revised provisions, grant greater flexibility to the maximum levels for these heavy metals in certain fish species, crustaceans and bivalve molluscs and are summarized as follows:  
Tuna, Bonito and Sardinops are added to the listed fish species for the upper maximum levels of 0.4 mg/kg for lead and 0.1 mg/kg for cadmium;  
The maximum level for lead in bivalve molluscs is raised to 1.5 mg/kg;  
An exclusion from the maximum level for cadmium in crustaceans is inserted for head and thorax meat of lobster and similar large crustaceans.  
The grenadier and emperor/ orange roughy are added to the listed fish species for the upper maximum level of 1 mg/kg for mercury.

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**FSTSD #** - 01.0588      **Country** - European Union      **Product** - Poultry and Eggs-Pathogen Reduction  
**Comment Deadline Date** - 1/18/02      **Enforcement Date** - 01/01/03      **WTO Type/Number** - SPS EEC/144  
**Objective** - Food Safety, Protect Humans from Animal/Plant Pest or Disease  
**Description** - The proposal notified hereby sets a framework for a pathogen reduction policy, with Community targets being progressively established in selected farm animal populations. Salmonellae is the main target where actions along the food chain are required in order to decrease substantially the number of human cases of food-borne salmonellosis and to this aim community targets will progressively be established for breeding flocks of Gallus gallus, laying hens, broilers, turkeys, breeding herds of pigs, within a fixed timeframe.  
  
Countries will have to present control programmes for approval by the European Commission.  
  
One basic element is to ensure that the buyer of live animals or hatching eggs knows the status of the holding of origin of the animals and to this aim, veterinary health certification will be used and as regards third countries, equivalent measures will be required for importation of relevant live animals and hatching eggs into the European Communities.

Predefined EC measures are also proposed for table eggs and broilers meat at the end of a transitional period. Certification requirements for importation of these products shall also be established in due course.

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**FSTSD #** - 01.0589      **Country** - United States of A      **Product** - Pesticides-Cryolite

**Comment Deadline Date** - 12/21/01      **Enforcement Date** -      **WTO Type/Number** - SPS USA/521

**Objective** - Food Safety

**Description** - This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

EPA has received a pesticide petition proposing, pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR 180.145 by establishing a tolerance for residues of the insecticidal fluorine compounds cryolite and synthetic cryolite (sodium aluminum fluoride) in or on the raw agricultural commodities peppermint tops and spearmint tops at 50 parts per million (ppm). EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

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**FSTSD #** - 01.0590      **Country** - United States of A      **Product** - Pesticides-Fosthiazate

**Comment Deadline Date** - 12/21/01      **Enforcement Date** -      **WTO Type/Number** - SPS USA/522

**Objective** - Food Safety

**Description** - This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

EPA has received pesticide petitions proposing, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing a tolerance for residues of the nematocide, fosthiazate, ((RS)-S-sec-butyl O-ethyl 2-oxo-1,3-thiazolidin-3-ylphosphonothioate) and its metabolite ASC-67131 (BESoP, (RS)-S-sec-butyl O-ethyl N-2(methylsulfonyl)ethyl phosphoramidothioate)] in or on the raw agricultural commodities tomatoes and peanuts at 0.02 parts per million (ppm), potatoes at 0.03 ppm, and import tolerances on bananas and green coffee beans at 0.05 parts per million (ppm). EPA has determined that the petitions contain data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the petitions. Additional data may be needed before EPA rules on the petitions.

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**FSTSD #** - 01.0591      **Country** - United States of A      **Product** - Bio-Pesticides

**Comment Deadline Date** - 12/21/01      **Enforcement Date** -      **WTO Type/Number** - SPS USA/523

**Objective** - Food Safety

**Description** - This notice announces the initial filing of pesticide petitions proposing the establishment of regulations for residues of certain pesticide chemicals in or on various food commodities.

EPA has received a pesticide petition proposing pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180 to establish an amendment/expansion of an existing tolerance exemption for the microbial pesticide *Bacillus cereus* strain BP01 in or on all raw agricultural commodities. EPA has not fully evaluated the merits of the pesticide petition. The summary in the full text may have been edited by EPA if the terminology used was unclear, the summary contained extraneous material, or the summary unintentionally made the reader conclude that the findings reflected EPA's position and not the position of the petitioner.

EPA has received a pesticide petition proposing pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180, to establish an exemption from the requirement of a tolerance for the biochemical pesticide diallyl sulfides (DADs). EPA has not fully evaluated the merits of the pesticide petition. The summary in the full text may have been edited by EPA if the terminology used was unclear, the summary contained extraneous material, or the summary unintentionally made the reader conclude that the findings reflected EPA's position and not the position of the petitioner.

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**FSTSD # - 01.0108      Country - Denmark      Product - Ice Cream, Cheese (cream cheese)**

**Comment Deadline Date - 1/1/02      Enforcement Date - 2/15/02      WTO Type/Number - TBT    DNK/4**

**Objective -** Denmark wished to change the standard for ice cream so that it must contain cream but this was found unacceptable in the EU. We have therefore chosen to revoke the current standard and let the market develop naturally.

**Description -** Revocation of Danish food standard on ice cream.

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**End of Report.**